

Testimony Bill HB 1210

January 30, 2025

Donna Magrum, Hazelton ND Dist 8

Chairman Porter and members of House Energy and Natural Resources Committee,

To the question by Chairman Porter, what are the names of the Insurance Companies that Mrs. Doolittle was talking about. I would say most.

I am a ND Licensed Insurance Agent in Property, Casualty, Life and Health for almost 25 years. I worked for American Family Insurance until my stroke in Aug of 2023, my license is active.

With insurance it is not always so easy to know if you are covered for a claim or incident. That is why sometimes insurance companies take longer than we would like to pay out for a claim. It goes through an investigation.

For example:

Let's say a farmer drives over the pipeline and there is an incident. CO2 by OSHA's definition is safe until it is in high concentrations then it is hazardous material or pollutant definitions vary per insurance companies. Most insurance companies have hazardous or pollutant materials exclusion clauses. You can check your own policies for hazardous or pollutant material exclusions. When an incident or claim occurs, this would be part of the investigation. Other things would be investigated in a claim or incident can you drive or farm over the pipeline, if you can how much weight can be acceptable. How much dirt or soil coverage at a certain gross weight and who is responsible for the continued soil coverage of the pipeline. For example, 4' of coverage can handle blank amount of gross weight. At the time of the claim or incident was the claim because of too much gross weight or was there only 3' of soil coverage. There are many other factors I am not even thinking of as I was an agent and a claim or incident always comes down to the adjustor and the policy.

Another topic was Indemnity Insurance. Indemnity insurance can cover many different things. Malpractice and also construction of a project. It may need to also have a General Liability Policy in place to have indemnity insurance policy or can be a standalone policy. It can also be for just the construction phase or it can be both construction that will also have coverage when construction is over and now the pipeline is a complete system that is operational.

Insurance is complex and for the most part insureds are covered, but there are always situations where coverage is denied based on the findings during the investigation of a claim or incident.

Without reading a policy and speaking to the underwriters' statements of absolute coverage for a claim or incident is careless. Many times, when you ask, the answer you will get from an insurance company is it is not guaranteed until a claim or incident is fully investigated.

If you have any other questions, I am happy to answer if I can.

I apologize for not knowing there was no neutral testimony allowed anymore.

Thank you for your time and serving the people of ND.

Donna Magrum, 701-321-2225